

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

TEENETTE C. JONES,)	
Plaintiff,)	
)	
v.)	1:04CV00631
)	
MICHAEL O. LEAVITT, SECRETARY)	
DEPARTMENT OF HEALTH AND HUMAN)	
SERVICES,)	
Defendant.)	
_____)	

JUDGMENT

On July 21, 2006 the Recommendation of the Magistrate Judge was filed. On August 7, 2006 the Plaintiff filed timely objections to the recommendation that summary judgment be granted to the Defendant and that Ms. Jones' claim be dismissed. Following a *de novo* review, the Recommendation is ACCEPTED on the basis that there is an insufficient showing of pretext to create an issue for a jury that Phillip Hanson was aware Ms. Jones had the requisite "professional experience" to qualify for the Contested Position. The claim is DISMISSED WITH PREJUDICE.

This the day of September 29, 2006

/s/ N. Carlton Tilley, Jr.
United States District Judge